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- and -

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Counsel to the Debtors and Debtors in Possession

> IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

In re:

Chapter 11

CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH)

<u>et</u> <u>al</u>.,

Debtors. : Jointly Administered

- - - - - - - - x

# SUPPLEMENTAL ORDER ON DEBTORS' TENTH OMNIBUS OBJECTION TO CERTAIN DUPLICATE CLAIMS

THIS MATTER having come before the Court on the Debtors' Tenth Omnibus Objection to Certain Duplicate Claims (the "Objection"), and it appearing that due and proper notice and service of the Objection has been given in compliance with Fed. R. Bankr. P. 3007 and 7004 and LBR 3007-1 and was good and sufficient and that no other further Case 08-35653-KRH Doc 4464 Filed 08/12/09 Entered 08/13/09 01:27:01 Desc Imaged Certificate of Service Page 2 of 7

notice or service of the Objection need be given; and it appearing that the relief requested on the Objection is in the best interest of the Debtors, their estates and creditors and other parties-in-interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

## IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

- 1. Notwithstanding the Order on Debtor's Tenth
  Omnibus Objection to Certain Duplicate Claims entered on
  July 20, 2009 (Docket No. 4172), the Objection to the claims
  identified on <a href="Exhibit A">Exhibit A</a> as attached hereto and incorporated
  herein, is withdrawn and the claims identified on <a href="Exhibit A">Exhibit A</a>
  are not disallowed; <a href="provided">provided</a>, <a href="however">however</a>, that the Debtors'
  rights and abilities to object to the claims on any grounds
  and bases are hereby preserved in their entirety.
- 2. The Debtors' rights and abilities to object to any claim included in the Objection on any grounds and on any bases are hereby preserved in their entirety.
- 3. To the extent that this order conflicts with the Order on Debtor's Tenth Omnibus Objection to Certain Duplicate Claims entered on July 20, 2009 (Docket No. 4172), this order shall control.

4. The Debtors shall serve a copy of this Order on the claimants included on the exhibit to this Order on or before five (5) business days from the entry of this Order.

Dated: Richmond, Virginia
August \_\_\_, 2009

Aug 7 2009

# /s/ Kevin R. Huennekens

HONORABLE KEVIN R. HUENNEKENS UNITED STATES BANKRUPTCY JUDGE

Entered on docket: August 10 2009

WE ASK FOR THIS:

Gregg M. Galardi, Esq.
Ian S. Fredericks, Esq.
SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP
One Rodney Square
PO Box 636
Wilmington, Delaware 19899-0636
(302) 651-3000

- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 155 North Wacker Drive Chicago, Illinois 60606 (312) 407-0700

- and -

\_/s/ Douglas M. Foley\_\_\_\_\_\_ Dion W. Hayes (VSB No. 34304) Douglas M. Foley (VSB No. 34364) MCGUIREWOODS LLP One James Center 901 E. Cary Street Richmond, Virginia 23219 (804) 775-1000

Counsel to the Debtors and Debtors in Possession

#### CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

\_/s/ Douglas M. Foley Douglas M. Foley Case 08-35653-KRH Doc 4464 Filed 08/12/09 Entered 08/13/09 01:27:01 Desc In re: Circuit City Stores, Inc, el maged Certificate of Service tors Page Gnofb 7s Objection to Claims Supplemental Order - Case No. 08-35653-KRH (Withdraw Certain Duplicate Claims)

## **EXHIBIT A**

CREDITOR'S NAME AND ADDRESS	CLAIM NUMBER	ASSERTED CLAIM AMOUNT *		DATE FILED	DOCKETED DEBTOR
CATELLUS OPERATING LIMITED PARTNERSHIP A DELAWARE LIMITED PARTNERSHIP EDWARD J TREDINNICK ESQ GREENE RADOVSKY MALONEY SHARE & HENNICK LLP FOUR EMBARCADERO CENTER 40TH FL SAN FRANCISCO, CA 94111	7933		\$1,903,434.65 \$1,903,434.65	01/29/2009	CIRCUIT CITY STORES, INC. (08-35653)
COTTONWOOD CORNERS PHASE V LLC C O SHEILA DELA CRUZ ESQ HIRSCHLER FLEISHER PC PO BOX 500 RICHMOND, VA 23218-0500	12337	Secured: Priority: Administrative 503(b)(9): Unsecured: Total:	\$892,465.98 \$892,465.98	04/22/2009	CIRCUIT CITY STORES WEST COAST, INC. (08-35654)
GREENBACK ASSOCIATES ATTN NANCY HOTCHKISS TRAINOR FAIRBROOK 980 FULTON AVE SACRAMENTO, CA 95825	12871	Secured: Priority: Administrative 503(b)(9): Unsecured: Total:	\$60,831.93 \$60,831.93	04/30/2009	CIRCUIT CITY STORES WEST COAST, INC. (08-35654)
GREENBACK ASSOCIATES ATTN NANCY HOTCHKISS TRAINOR FAIRBROOK 980 FULTON AVE SACRAMENTO, CA 95825	12681	Secured: Priority: Administrative 503(b)(9): Unsecured: Total:	\$737,801.12 \$737,801.12	04/30/2009	CIRCUIT CITY STORES WEST COAST, INC. (08-35654)
HIP STEPHANIE LLC C O CHRISTINE COERS MITCHELL COERS MITCHELL LAW LLC 1631 NE BROADWAY NO 539 PORTLAND, OR 97232	12366	Secured: Priority: Administrative 503(b)(9): Unsecured: Total:	\$683,730.94 \$683,730.94	04/24/2009	CIRCUIT CITY STORES WEST COAST, INC. (08-35654)

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#### **EXHIBIT A**

CREDITOR'S NAME AND ADDRESS	CLAIM NUMBER	ASSERTED CLAIM AMOUNT *		DATE FILED	DOCKETED DEBTOR
JANTZEN DYNAMIC CORPORATION ATTN BRETT BERLIN ESQ JONES DAY 1420 PEACHTREE ST NE STE 800 ATLANTA, GA 30309	12610	Secured: Priority: Administrative 503(b)(9): Unsecured: Total:	\$266,633.75 \$266,633.75	04/30/2009	CIRCUIT CITY STORES, INC. (08-35653)
S W ALBUQUERQUE LP ATTN JENNY J HYUN ESQ C O WEINGARTEN REALTY INVESTORS 2600 CITADEL PLZ DR STE 125 HOUSTON, TX 77008	12740	Secured: Priority: Administrative 503(b)(9): Unsecured: Total:	\$969,312.29 \$969,312.29	04/30/2009	CIRCUIT CITY STORES WEST COAST, INC. (08-35654)
SPRING HILL DEVELOPMENT PARTNERS GP DICKSON MANAGEMENT ASSOCIATES LLC GALLATIN MANAGEMENT ASSOCIATES LLC ATTN SHEILA DELA CRUZ ESQ C O HIRSCHLER FLEISCHER PC PO BOX 500 RICHMOND, VA 23218-0500	3853	Secured: Priority: Administrative 503(b)(9): Unsecured: Total:	\$348,060.75 \$348,060.75	01/19/2009	CIRCUIT CITY STORES, INC. (08-35653)

Total: 8 \$5,862,271.41

# Case 08-35653-KRH Doc 4464 Filed 08/12/09 Entered 08/13/09 01:27:01 Desc CERTIFICATE OF NOTICE

District/off: 0422-7 Case: 08-35653

User: frenchs Form ID: pdforder

Page 1 of 1 Total Noticed: 1 Date Rcvd: Aug 10, 2009

The following entities were noticed by first class mail on Aug 12, 2009.

aty +Gregg M. Galardi, Skadden Arps Slate Meagher, & Flom LLP, One Rodney Sq.,

Wilmington, DE 19899-0636 PO Box 636,

The following entities were noticed by electronic transmission.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

TOTAL: 0 NONE.

Addresses marked  $^{\prime +\prime}$  were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 12, 2009

Joseph Speetjins